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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 **TERRENCE USHER,**

10 **Petitioner,**

11 **v.**

12 **A. NEIL CLARK,**

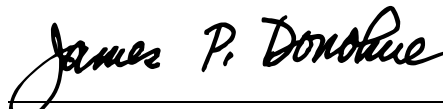
13 **Respondent.**

CASE NO. C10-790-MJP-JPD

**REPORT AND
RECOMMENDATION**

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15 Terrence Usher (“petitioner”) is proceeding pro se. By letter dated May 11, 2010,
16 petitioner was granted thirty (30) days to either pay the \$5.00 filing fee, or submit a completed
17 application to proceed *in forma pauperis* (“IFP”), along with a certified copy of his prison trust
18 account statement showing transactions for the past six months. (Dkt. No. 3.) Petitioner was
19 advised that failure to respond to the letter by June 10, 2010, could result in dismissal of the case.
20 *Id.* To date, petitioner has neither paid the filing fee nor submitted a completed application for
21 IFP status. Accordingly, the Court recommends that this action be dismissed without prejudice
22 for failure to pay the filing fee pursuant to 28 U.S.C. § 1914.

23 DATED this 23rd day of June, 2010.

24 
25 JAMES P. DONOHUE
26 United States Magistrate Judge